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IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

ART UNIT 3725

Examiner Bena Miller

Thomas Bulk et al.

SERIAL NO. 10/643,143

FILED August 18, 2003

SUBJECT PALLET RACK WORKBENCH

REFERENCE Interview Summary, 23 September 2005; Date Mailed:
10/05/2005

THE COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, D.C. 20231

To whom it may concern:

In response to the Interview Summary Office Action, Dated the 10th of October 2005, the following provides the substance of that interview, which occurred by telephone.

Substance of Interview

A discussion occurred between Mr. Bulk and the examiner regarding the indefiniteness of the claims. Cited as an example was claim 1; whereby, the examiner stated that the claims should make

it clear as to what member is being described by providing sufficient detail of the said invention by following the form, "A pallet rack system comprised of four or more vertical posts, said post having equally spaced apertures along one face, said posts connected by cross members, etc." Similar statements were made by the Examiner relative to the description of the cross member, and whether one or more cross members comprised the invention. Because of the interview, Amendment "A" was issued to rectify any inconsistencies in description throughout the patent. In addition, claims 1-7 were cancelled and new claims provided.

The Examiner also stated that the claims were rejected as being anticipated by both Anderson et al (US Patent #6,155,441) or McConnell (US Patent #4,729,484). Examiner stated that she believes the in-turned lip surface described on both patents is equivalent to the integral number of dimensional lumber pieces. The new claims submitted by Amendment "A" further clarify it is the distance between either two left or two right vertical post in-turned lip surfaces that is equivalent to an integer number of dimensional lumber boards laid side by side and parallel to the cross members. It was further discussed with the examiner, that this patent applies art used by the interviewee in a Workbench patent by Sheahan and Bulk (US Patent 6,729,371) to that of pallet rack construction. It

was pointed out by the interviewee that the previous pallet rack art was only concerned with using wood planks laid perpendicular to the cross members. This distinction is important because the previous art is not concerned with the following:

- Utilization of “dry dimensional lumber,” as defined by an industry standard
- An integer number of dry dimensional lumber laid side by side and parallel to the cross member
- The distance between a front and rear vertical post, comprising either a right or left support structure, being set equal to an integer number of dry dimensional lumber pieces times the width of particular dry dimensional lumber size.

Amendment “A” was submitted as a result of the phone interview.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Bulk", written in a cursive style.

Thomas Bulk